

Meeting of the  
IDAHO BOARD OF NURSING  
Statehouse Inn – 981 Grove  
Boise, Idaho  
April 27-28, 2006

## **MINUTES**

*Time and Place*

A regular meeting of the Idaho Board of Nursing was held on April 27-28, 2006, in Boise, Idaho.

*Presiding*

Randall Hudspeth, RN, NP, CNS, Chairman

*Call to Order*

The meeting was called to order at 9:07 AM, Thursday, April 27, 2006, by Randall Hudspeth, Chairman.

*Those Present*  
*Board*

Randall Hudspeth, NP, CNS, Boise, Chairman  
Janine Baxter, RN, Post Falls  
Karen Ellis, RN, Pocatello – absent April 28, 2006  
Analyn Frasure, LPN, Pocatello  
Jill Howell, RN, Jerome, Vice-Chairman  
Linda Humphrey, Consumer, Jerome  
Ridon Jones, LPN, Idaho Falls  
Shirlie Meyer, RN, Meridian  
Susan Odom, RN, Moscow

*Staff*

Sandra Evans, MAEd, RN, Executive Director  
Judy Nagel, MS, RN, Associate Director  
Chanel Johnson, MN, RN, Investigator  
Linda Coley, Management Assistant  
Kay Christensen, Deputy Attorney General

*Consent Agenda*  
*Motion*

The Consent Agenda was adopted with the exception of D2a – Licensure. This item will be presented during the regular business meeting. The Consent Agenda included information regarding the following items:

***Information Exchange***

- A. Approval of Minutes of the January 26-27, 2006 meeting, and the March 22, 2006 conference call, as printed.
- B. Articles of Interest:
  - 1. “AMA Forms Coalition” from “Psychiatry News”, March 3, 2006
  - 2. “Concern Rising over Taiwanese Nurses’ Exodus” from A.N.A.

- C. Reports on attendance at the following meetings:
  - 1. IALN Meeting – Board of Directors – 2/16/06, 3/16/06
  - 2. Governor’s Summit on Preparing for a Catastrophic Health Emergency – 3/27/06
  - 3. NCSBN Executive Officer Leadership Forum – 3/13/06.
  - 4. NCSBN Mid-Year Meeting – 3/14-15/06
  - 5. NLCA Meeting – 3/12/06
  - 6. INWC Operating Board Meeting – 3/9/06
- D. FAQ Flyer 2006 - LPN Renewals

***Governance/Organization***

- A. Staffing Changes – Prosecuting Attorney
- B. Significant Board of Nursing activities – 1999 – 2006
- C. Approval of NLCA and NCSBN 2007 fees
- D. Informational Items:
  - 1. Report of Staff Activities for the period January 1, 2006 through March 31, 2006, including progress towards accomplishment of strategic goals.
  - 2. Financial Report for the Third Quarter – FY 2006
  - 3. Strategic Plan Status Report for the period January 1, 2006 – March 31, 2006.
  - 4. Special Projects Update – March 2006
- E. NCSBN PR & E Committee Status Report
- F. Report of Operational Planning for Nursing Shortage Strategies Task Force (from 4/17/06 Conference Call)

***Practice/Discipline***

- A. APPN Trends

***Licensure***

- A. NCLEX RN/PN Approval

***Education***

- A. Article: “Board of R.N. Prevails in Excelsior College Court Decision” from California
- B. Article: “Online Colleges Receive Boost From Congress” from New York Times
- C. Program Approvals:
  - 1. ISU/PN, Pocatello to 12/30/06
  - 2. CSI/PN, Twin Falls to 12/30/06
  - 3. BSU/PN, Boise to 12/30/06

***Information Exchange***

Open Forum

Time for an open forum was provided between 9:30 am and 10:00 am on Friday, April 28, 2006. Students from Treasure Valley Community College, Ontario, Oregon were present in the audience and asked general questions of the Board. Following closure of the open forum, the meeting continued as scheduled.

### ***Governance/Organization***

*Board Self Assessment*

Randy Hudspeth, Chairman, presented information about the Board's ongoing self-assessment and requested completion of the assessment tool.

*Legislative Report*

Sandra Evans, Executive Director, reported on the final actions of the 2006 Legislature.

*Rules Revision  
Committee Report*

Sandy Evans reported on the recommendations of the Rules Revision Committee who met following adjournment of the Board on April 27<sup>th</sup>. Additional information will be presented at the July Board meeting.

*Strategic Plan  
Review/Revision  
Motion*

Board members reviewed the current Strategic Plan and recommendations for revision. Following their review, a motion was made, and carried to approve the Strategic Plan as revised for the period 2006 – 2010.

*APPN Advisory  
Committee  
Motion*

Following discussion, a motion was made and carried, to appoint Cathy Arvidson, RN, PhD, NP and Keith Davis, MD to continuing terms on the Advanced Practice Professional Nurse Advisory Committee for the period ending June 30, 2008.

*Election of Officers  
& Committee Chair  
Motion*

The following officers were elected to serve for the 2006-2007 year:

Chairman - Susan Odom

Vice-Chairman - Randy Hudspeth

Member-at-Large – Ridon Jones

PRN Chairman - Jill Howell

*Approval of Travel  
Motion*

A motion was made and carried, to approve the following travel, including related expenses:

2006 Investigator-Attorney Workshop – May 22-24, 2006 – Nashville, TN for Chanel Johnson, Investigator and Judy Nagel, Associate Director.

*Executive Session -  
Executive Director  
Performance  
Assessment  
Motion*

A motion was made and carried, to enter into an Executive Session, under Idaho Code 67-2345 (1) (d) at 4:45 pm, April 27, 2006, to discuss the assessment of the Executive Director. Following their return from Executive Session at 5:40 pm, a motion was made and carried, that the Annual Assessment of Sandra Evans, Executive Director, be approved as achieving exemplary performance. The compensation adjustment is to be

at the maximum percentage allowed, based on that established by the Idaho Legislature, and the issuance of a bonus in the maximum amount allowed.

Report of Mid-Year Meeting

Randy Hudspeth, Susan Odom and Sandy Evans reported on the activities conducted at the Mid-Year Meeting held March 13-15, 2006 in Chicago, IL. Feedback was requested on the Governance and Leadership Panel; a motion was made and carried, to send a letter of support of the Recommendations of the NCSBN Advisory Panel on Governance and Leadership.

NCSBN Activities Update

Sandy reported that NCSBN's Delegate Assembly will be held August 1-4, 2006, in Salt Lake City, Utah, with all Board members and professional staff attending. Materials will be sent to Board members as received. The Board will prepare and disseminate a flyer supporting Randy for NCSBN Vice-President.

***Practice/Discipline***

Report of APPN AC Meeting

Cathy Arvidson, NP, Vice-Chair, presented a report of the March 31, 2006 meeting of the Advanced Practice Professional Nurse Advisory Committee by teleconference.

APPN Peer Review Audit

Judy Nagel, Associate Director, reported that all APPN licensees selected for the Peer Review audit had submitted materials with the exception of one individual. A final report will be presented at the July Board meeting.

APPN Focused Practice Audit

Judy Farnsworth, PhD, RN, consultant to the Board, met with Board members to report on her progress regarding the focused APPN practice audit related to Psychiatric/Mental Illness Diagnoses. Dr. Farnsworth indicated that the initial validation should be completed within 30 days.

Report of PRN Committee Meeting

Karen Ellis, RN, Chairman, presented a report of the meeting of the Advisory Committee of the Program for Recovering Nurses held on April 21, 2006. The Board members reviewed the significant activities of the Committee including the recommendation for the revocation of licensure for two participants. Following Ms. Ellis' report, the Board accepted the Report and recommendations of the Committee.

Non-Contested Cases – Default Motion

Wheeler, Kathy – PN-10913 – Case No: 05-095 – issued an Order of Revocation based on default.

Non-Contested Cases  
– Consent Agreements  
Motion

Park, Hwan – N-21331 – Case No: 05-049 – accepted the Stipulation/Consent Agreement to suspend the license, stay the suspension and place the license on probation while Ms. Park participates in an individualized education plan and completes 160 hours of supervised practice. Following successful completion of all components of the Stipulation Agreement, the license will be reinstated.

Non-Contested Cases  
– Other  
Motion

Nilsson, Monica – N-34570 – Case No: 05-075 – issued an Order of Revocation based on violation of the Nursing Practice Act.

Motion

O'Brien, Julia – N-17695 – Case No: 04105 - issued an Order of Revocation based on violation of the Nursing Practice Act.

Motion

Sant, Barbara Ebbs – PN-7328 – Case No: 06-013 – Affirmed termination of the limited license and issued an Order of Revocation based on violation of the Nursing Practice Act.

Motion

Pierson, Linda – N-22543 – Case No: 05-070 - issued an Order of Revocation based on violation of the Nursing Practice Act.

Motion

Clements, Valerie – N-28465 – Case No: 04-057 - issued an Order of Revocation based on violation of the Nursing Practice Act.

Contested Cases –  
Hearings  
Walsh, Patrick  
Motion

A hearing was held at 1:30 PM as scheduled with the licensee, Patrick Walsh, who failed to appear. Karl Klein, Prosecuting Attorney, presented the Board's case. Following presentation of exhibits, a motion was made and carried, to issue an Order of Revocation of license No. N-29242, Patrick Walsh, Case No: 02-038, for violation of the Nursing Practice Act.

Jackson, Carolyn  
Motion

A hearing was held at 2:00 PM as scheduled with the licensee, Carolyn Jackson, who failed to appear. Karl Klein, Prosecuting Attorney, presented the Board's case. Following presentation of exhibits, a motion was made and carried, to issue an Order of Revocation of license No. N-17514, Carolyn Jackson, Case No: 05-086, for violation of the Nursing Practice Act.

Hiller, Nanette  
Motion

A hearing was held at 3:30 PM as scheduled with the licensee, Nanette Hiller. Karl Klein, Prosecuting Attorney, presented the Board's case and Ms. Hiller presented testimony on her behalf.

Following testimony by Ms. Hiller, and questions by Board Members, a motion was made and carried, to issue an Order of Indefinite Suspension/stay the suspension and issue a Restricted License with conditions of: No Patient Contact, No Access to Narcotics, for a period of at least 12 months. She must remain compliant with the PRN Program and the conditions of court-ordered probation. Ms. Hiller will be issued a single-state license without Compact privileges.

Kinzer, Avis Sabrina  
Motion

A hearing was held at 10:30 AM as scheduled with the licensee, Avis Sabrina Kinzer, participating via teleconference. Karl Klein, Prosecuting Attorney, presented the Board's case and Ms. Kinzer presented testimony on her behalf.

Following testimony by the Board's investigator, Chanel Johnson, and questions by Board Members, a motion was made and carried, to issue an Order of Revocation of license No. N-25986, Sabrina Kinzer, Case No: 04-065, for violation of the Nursing Practice Act.

Petitions for  
Reconsideration  
Stephens, Shannon  
Motion

A hearing was held at 1:00 PM as scheduled, with the applicant for licensure, Shannon Stephens. Karl Klein, Prosecuting Attorney, presented the Board's case and Ms. Stephens presented testimony on her behalf.

Testimony was presented by the Board's investigator, Chanel Johnson, with questions by Board Members; Ms. Stephens presented witnesses on her behalf. Following testimony, a motion was made and carried, to withdraw the previous order of Denial and enter an order for a limited license until her release from monitoring through the WPHS in Washington as long as Ms. Stephens remains compliant with the conditions of her WHPS Contract. Ms. Stephens was requested to submit reports of compliance from her WHPS case manager to the Idaho Board on a regular basis.

Elkin, Patricia  
Motion

A hearing was held at 2:30 PM as scheduled with the applicant, Patricia Elkin, who failed to appear. Since the applicant did not appear to provide evidence why her application should not be denied, action was taken to reaffirm the Board's previous Order of December 1, 2005.

### **Licensure**

Non-Routine  
Applications  
Executive Session

In accordance with Idaho Code Section 67-2345 (1) (d), a motion was made and carried to enter into Executive Session at 3:10 pm on April 27, 2006, for the purpose of reviewing information

applicable to the requests for licensure that are exempt from disclosure.

Motion

Following closure of the executive session at 3:30 pm, the following action was taken:

Case EN040602 - Kathryn - issue a temporary license until successful completion of court-ordered probation, then issue a renewable professional nurse license

Case EN040501 - Sallye - extend the RN and APPN temporary licenses until successful completion of the Oregon court diversion program, then issue renewable RN and APPN licenses. Randy Hudspeth, recused himself from the discussion and vote on this applicant.

Case EN040603 - Leonardo - issue a renewable license

Case EX040601 - Karen - after passes the NCLEX, issue a temporary license until successful completion of court-ordered probation, then issue a renewable license.

Case EX040602 - Kodi - issue a renewable license

Request for Licensure  
Denial  
Motion

Kay Christensen, Board Administrative Counsel, presented information regarding the file of Kathy Browning. Following her presentation, a motion was made and carried, to issue an Order of Denial of Reinstatement of license No. N-20849, Kathy Browning, based on conviction of a felony.

Request for  
Reinstatement  
Motion

Board members reviewed the information presented on behalf of the applicant, Stephanie Culp, N-22649, Case 01-011, who was requesting reinstatement of licensure following disciplinary action. Following discussion, a motion was made and carried, that:

- A. A limited LPN license, valid for 3 years, be issued with monitoring conditions.
- B. Upon satisfactory compliance with monitoring conditions and at the time of expiration of the conditional limited license, issue a renewable license.

Removal of RNP  
Designation

Board members reviewed the request from Carol LaFramboise, N-22316 to remove the Restricted Non-Practicing designation from her professional nurse license. A motion was made and carried, to remove the RNP designation, revert the license back to voluntary surrender with return to the Program for Recovering Nurses for monitoring under a new monitoring contract.

SS Number as  
Licensure  
Requirement

Kay Christensen, Board Administrative Counsel, discussed the submission of social security numbers as a requirement of the Uniform Child Support/Custody Enforcement Act. Kay will

provide a document for the Board to use in enforcing this requirement for licensees.

### ***Additional Business***

#### *Direct Entry Midwifery*

Sandy Evans reported on the status of Direct Entry Midwives (Lay Midwives) in other states. Board staff recently met with representatives who initiated dialog on future regulation. Staff will continue to monitor the situation and report to the Board.

#### *Arlon Peda*

Board members reviewed information regarding Arlon Peda, N-33171 and RNA-591. Following their review the Board took action to accept the proposed 'Agreement Regarding Compact Licensure', to issue a license with multistate privilege to Mr. Peda to authorize practice in Iowa, on condition that the licensee agrees not to engage in the practice of nursing in another Compact state without prior written consent of the Idaho Board of Nursing and the other Compact-member state.

#### *Approval of Travel Motion*

The Board approved travel and related expenses for Susan Odom and Janine Baxter to attend the NCSBN 2006 NCLEX Invitational.

#### *Licenses Issued*

Under the responsibilities delegated to the Executive Director, professional and practical nurse licenses were issued by interstate endorsement, examination, reinstatement and emeritus to the following persons since the January 26-27, 2006 meeting of the Board. See pages:

Under the responsibilities delegated to the Executive Director, advanced practice professional nurse licenses were issued to the following persons since the January 26-27, 2006, meeting of the Board. See page:

#### *Adjournment Motion*

A motion was made and carried that the meeting be adjourned. Meeting adjourned at 1:47 PM, Friday, April 28, 2006.

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Chairman

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Vice-Chairman